I KET NO. <u>ACT93-01A3</u>

THE LINE STATES PATENT AND TRADEMARK OFFICE Substitute

Declaration for Patent Application

COPY FOR CONTINUING APPLICATION

As a named inventor, I hereby declare that:

MAY 2 8 2002

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

| WIIICH | is claimed and for which a | | · | | | | | |
|---------------------|---|-----------------------------|--|----------------------------|--|--|--|--|
| | MODULATED RELEAS | SE FROM BIOCOMPA | TIBLE POLYMERS | | | | | |
| the sp | ecification of which (check o | one) | | * | | | | |
| [] | is attached hereto. | | | | | | | |
| [X] | was filed on April 7, 1998 as United States Application | | | | | | | |
| | Number <u>09/056,566</u> | | | | | | | |
| | and was amended on | (if applical | ble). | | | | | |
| includ | ing the claums, as amended t | by any amendment refe | | | | | | |
| define | i in 37 C.F.R. §1.56. | disclose information v | which is known by me to be material to p | atentability as | | | | |
| applica for pat | uion(s) for patent or invento | r's certificate listed beli | tle 35, United States Code, §119 of any fow and have also identified below any fore that of the application on which prior | moiom amuliantian | | | | |
| | | Prior Foreign | Application(s) | Priority Not Claimed | | | | |
| Numb | er) | (Country) | (Day/Month/Year filed) | - [] | | | | |
| Numb | er) | (Country) | (Day/Month/Year filed) | - [] | | | | |
| Numb | er) | (Country) | (Day/Month/Year filed) | . [] | | | | |
| hereb | y claim the benefit under 35 | U.S.C. §119(e) of any | United States provisional application(s) | listed below. | | | | |
| Application Number) | | (Fili | (Filing Date) | | | | | |
| Applic | ation Number) | (Fili | ng Date) | | | | | |

I hereby claim the benefit unc... Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this

| 08/727,531 (U.S. National Phase of PCT/US95/05511 filed May 3, 1995) | | |
|--|---|---|
| (Application Serial No.) | October 22. 1996 (Filing date) | Abandoned |
| | (rimig date) | (Status: patented, pending, abandoned) |
| | | |
| 08/237,057 | | - |
| (Application Serial No.) | <u>May 3, 1994</u> (Filing date) | Patented |
| | (rining date) | (Status: patented, pending, abandoned) |
| 1 | | • |
| 07/849,754 | <u>March 12, 1992</u> | 41 |
| (Application Serial No.) | (Filing date) | Abandoned (Status: patented, pending, abandoned) |
| | (= <u></u> g <u></u> | (States: patented, pending, abandoned) |
| | | |
| | · | |
| (Application Serial No.) | · (Filing date) | (Status: patented, pending, abandoned) |
| | | (balldoned) |
| As a named inventor, I h | nereby appoint the attorneys and/ | or agents associated with |
| • | Hamilton, Brook, Smith & Re | vnolds P.C |
| • | 2 Militia Drive | • |
| | Lexington, Massachusetts 024 | 21-4799 |
| | Customer No. 21005 | |
| to prosecute this application and t | ransact all business in the Patent | and Trademark Office connected therewith. |
| I also hereby grant additi | innal D | onto competed therewith. |
| No. 21005 to file and prosecute as above-identified application, inch | ional Powers of Attorney to the a n international application under iding a power to meet all designa | ttorneys and/or agents associated with Customer the Patent Cooperation Treaty based upon the ted office requirements for designated states; |
| and | | |
| | | |
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| Direct facsimiles to: | David E. Brook, Esq. | |
| | 781 861-9540 | |
| | | |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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